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Paper 34
Filed: 10 November 2008

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

BRAD A. ARMSTRONG
Junior Party
(Patent 6,198,473),

v.

MANOLITO E. ADAN, TODD E. HOLMDAHL,
MICHALE R. HOONING, STEVEN T. KANEKO,
TERRY M. LIPSCOMB, and ROBERT SCOTT PLANK
Senior Party
(Applications 09/998,305 and 10/004,663).

Patent Interference No. 105,604 (SCM)
(Technology Center 2600

1 **Judgment –Bd.R. 127(b)**
2

3 Before RICHARD E. SCHAFER, JAMESON LEE, and SALLY C. MEDLEY,
4 *Administrative Patent Judges.*
5
6 MEDLEY, *Administrative Patent Judge.*

7 Armstrong concedes priority of the contested subject matter and accedes to
8 adverse judgment (Paper 33). Armstrong's concession is construed as a request for
9 adverse judgment. Armstrong's request is granted.

1 Accordingly, it is

2 **ORDERED** that judgment be entered against Armstrong for count 1
3 (Paper 1 at 4);

4 **FURTHER ORDERED** that claims 16-28 of Armstrong's involved
5 patent are CANCELLED, 35 U.S.C. 135(a); and

6 **FURTHER ORDERED** that a copy of this judgment be entered in
7 the administrative records of the involved Adan application and Armstrong patent.

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